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September 12, 2011

BY ECF

Hon. Cheryl L. Pollak
United States Magistrate Judge, Eastern District of New York
Theodore Roosevelt United States Courthouse
225 Cadman Plaza East, Room 1230
Brooklyn, New York 11201

RE: Credico, et al. v. New York State Board of Elections, et al.
Docket No. 10-Civ. 4555 (RJD) (CLP)
United States District Court, E.D.N.Y.

Your Honor:

Plaintiffs hereby withdraw their pending motion for summary judgment, filed on August 19, 2011. Defendants' counsel has advised us they have no objection to our withdrawal of the motion.

The parties are cooperating in arranging to complete all depositions previously noticed, promptly. Once all discovery is complete, plaintiffs currently expect to make a new motion for summary judgment, which will address any evidentiary issues that may have arisen, if necessary.

Respectfully,



GARY L. DONOYAN (GD-7542)

cc: Joel Graber, Esq., by ECF only